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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,993	11/10/2000	Matthew Brown	CON1350-011B	4667

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EXAMINER
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GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/709,993	BROWN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Clement B. Graham	3628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13, 15-21, 23-29, 31-34, 36-47 and 50-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13, 15-21, 23-29, 31-34, 36-47, 50-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 13, 15-21, 23-29, 31-34, 36-47, 50-52, remained pending in this application.

#### **Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patent ability shall not be negated by the manner in which the invention was made.

3. Claims 13, 15-21, 23-29, 31-34, 36-47, 50-52, are rejected under 35 U.S.C. 103(a) as being unpatentable over Auzenne et al (Hereinafter Auzenne U.S Patent 5,995,946 in view of Walker et al (Hereinafter Walker U.S Patent 5, 945, 653).

As per claims 13, 15-19, 24, Auzenne discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of:

- (a) using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form, the act of formatting comprising the steps of (see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47).

Auzenne fail to explicitly teach creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, wherein said attributes comprise, a section code, a summary line, a sorting indication, and a statement presentation section, creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections, assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, and

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assigning at least one section from said plurality of sections to each one of said plurality of segments, entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance with said segments, said sections, and said statement presentation codes to create a completed billing statement, providing said completed billing statement to said customer, and allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications ,services provided by said communications service provider, wherein the formatting is conducted in accordance with said format.

However Walker discloses Referring now to FIG. 9, therein depicted is a cardholder's monthly billing statement according to the present invention. In particular, statement resembles a typical monthly billing statement with the addition of function identifier data in the form of code information and corresponding notices printed on statement to indicate the activities carried out or executed by credit card issuer in accordance with that code information. As such, statement is a paper form that is generated in a conventional way by or on behalf of credit card issuer and is usually sent via a mail service to bill charger who is the owner of an account number. Of course, as billing systems have advanced, the present invention certainly envisions the day when customers will regularly receive their bills (and billing statements like statement) electronically such as by way of a network (e.g., via the Internet, the telephone network, etc.). Accordingly, the implementation details necessary to transport or otherwise deliver a billing statement like statement to a recipient or account owner electronically will be readily apparent to those skilled in the art. (see column 7 lines 40-50 and column 21lines 19-50).

Therefore it would have obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Auzenne to include teach creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, wherein said attributes comprise, a section code, a summary line, a sorting indication, and a statement presentation section, creating a

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plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections, assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, and assigning at least one section from said plurality of sections to each one of said plurality of segments, entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance with said segments, said sections, and said statement presentation codes to create a completed billing statement, providing said completed billing statement to said customer, and allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format taught by Walker in order to provide a customer with a billing statement for different communications services.

As per claim 20, Auzenne discloses wherein the step of grouping and presenting is completed in accordance with said statement presentation codes. (see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47).

As per claim 21, Auzenne discloses wherein the plurality of communications services includes at least two of cable, telephony, video, or data services. (see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47).

As per claim 23, Auzenne discloses further comprising the steps of.

(d) grouping together information relating to a plurality of communications services into at least one of said segments or at least one of said sections, and

(e) assigning a statement attribute code to each communications service to represent how said information is to be grouped together. (see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47).

As per claim 23, Auzenne discloses 25. (previously presented) A system operable to carry out the steps comprising the method of claim 13.(see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47).

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As per claim 26, Auzenne discloses a computer readable medium comprising instructions to perform the method of claim 13. (see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47).

As per claims 27, 28-29, 31-37, Auzenne discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of

(a) using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form, the step of formatting(see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47).

Auzenne fail to explicitly teach comprising the steps of creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections, wherein the step of creating a plurality of segments comprises the steps of creating a summary segment, creating an itemization segment, creating a usage detail segment, and creating a tax segment,

- (iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, and
- (v) assigning at least one section from said plurality of sections to each one of said plurality of segments;
- (b) receiving input representing a preference of a customer for separate billing statements, wherein each of said separate billing statements relates to one or more different communications services provided to said customer,
- (c) entering billing information relating to a plurality of services provided to said customer into said formatted billing statement form in accordance with said segments, said sections, said statement presentation codes, and said input to create one or more completed billing statements;

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- (d) providing said one or more completed billing statements to said customer; and
- (e) allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format.

However Walker discloses Referring now to FIG. 9, therein depicted is a cardholder's monthly billing statement according to the present invention. In particular, statement resembles a typical monthly billing statement with the addition of function identifier data in the form of code information and corresponding notices printed on statement to indicate the activities carried out or executed by credit card issuer in accordance with that code information. As such, statement is a paper form that is generated in a conventional way by or on behalf of credit card issuer and is usually sent via a mail service to bill charger who is the owner of an account number. Of course, as billing systems have advanced, the present invention certainly envisions the day when customers will regularly receive their bills (and billing statements like statement) electronically such as by way of a network (e.g., via the Internet, the telephone network, etc.). Accordingly, the implementation details necessary to transport or otherwise deliver a billing statement like statement to a recipient or account owner electronically will be readily apparent to those skilled in the art. (see column 7 lines 40-50 and column 21lines 19-50).

Therefore it would have obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Auzenne to include creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections, wherein the step of creating a plurality of segments comprises the steps of creating a summary segment, creating an itemization segment, creating a usage detail segment, and creating a tax segment, assigning at least one statement presentation

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code from said plurality of statement presentation codes to at least one section from said plurality of sections, and assigning at least one section from said plurality of sections to each one of said plurality of segments, receiving input representing a preference of a customer for separate billing statements, wherein each of said separate billing statements relates to one or more different communications services provided to said customer, entering billing information relating to a plurality of services provided to said customer into said formatted billing statement form in accordance with said segments, said sections, said statement presentation codes, and said input to create one or more completed billing statements, providing said one or more completed billing statements to said customer; and allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format taught by Walker in order to provide a customer with a billing statement for different communications services.

As per claims 38, Auznne discloses a system operable to carry out the steps comprising the method of claim 27. (see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47).

As per claims 39, Auznne discloses a computer readable medium comprising instructions to perform the method of claim 27. (see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47).

As per claims 40-47, 50-52, Auznne discloses a method for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of:

(a) using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form, the step of formatting comprising the steps of (see column 1 lines 60-67 and column 2 lines 1-17 and column 5 lines 33-47)

Auznne fail to explicitly teach creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, (ii) creating a



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plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections, assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, assigning at least one section from said plurality of sections to each one of said plurality of segments, and entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance with said segments, said sections, and said statement presentation codes to create one or more statement export files, providing said one or more statement export files to a print vendor for printing one or more completed billing statements and allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format grouping together information relating to a plurality of communications services into at least one of said segments or at least one of said sections, and assigning a statement attribute code to each communications service to represent how said information is to be grouped together.

However Walker discloses Referring now to FIG. 9, therein depicted is a cardholder's monthly billing statement according to the present invention. In particular, statement resembles a typical monthly billing statement with the addition of function identifier data in the form of code information and corresponding notices printed on statement to indicate the activities carried out or executed by credit card issuer in accordance with that code information. As such, statement is a paper form that is generated in a conventional way by or on behalf of credit card issuer and is usually sent via a mail service to bill charger who is the owner of an account number. Of course, as billing systems have advanced, the present invention certainly envisions the day when customers will regularly receive their bills (and billing statements like statement) electronically such as by way of a network (e.g., via the Internet, the telephone network, etc.). Accordingly, the implementation details necessary to transport or otherwise

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deliver a billing statement like statement to a recipient or account owner electronically will be readily apparent to those skilled in the art. (see column 7 lines 40-50 and column 21lines 19-50).

Therefore it would have obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Auzenne to include creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections, assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, assigning at least one section from said plurality of sections to each one of said plurality of segments, and entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance. with said segments, said sections, and said statement presentation codes to create one or more statement export files, providing said one or more statement export files to a print vendor for printing one or more completed billing statements and allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format grouping together information relating to a plurality of communications services into at least one of said segments or at least one of said sections, and assigning a statement attribute code to each communications service to represent how said information is to be grouped together taught by Walker in order to provide a customer with a billing statement for different communications services.

### **Conclusion**

### **RESPONSE TO ARGUMENTS**

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4. Applicant's argument's filed 1/13/06 has been fully considered but they are moot in view of new grounds of rejections.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

March 15, 2006

  
FRANTZY POINVIL  
PRIMARY EXAMINER